

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) No. 3:07-CR-88
V.) (Varlan / Guyton)
)
ROY LYNN OAKLEY,)
)
Defendant.)

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the district court as may be appropriate. On July 7, 2008, this matter came before the Court for a status conference and motion hearing.

Attorney David Wigler was present in the courtroom, but he did not represent Mr. Oakley in the hearing. Mr. Oakley was present. Attorney Elizabeth Ford and Attorney Kim Tollison were present as Court appointed counsel for the limited purpose of representing Mr. Oakley's interests as cleared counsel under CIPA. Assistant United States Attorneys William Mackie and Anthony Garcia were present on behalf of the government.

The Court advised the parties that Chief District Judge Curtis L. Collier will be filing a ruling on a pending motion for clarification in the case of In Re: Herbert Moncier, 1:08-MC-09 [Doc. 72]. The Court found that it was in the defendant's best interest in terms of legal representation, and in the best interest of fairness to both parties, that the Court await Judge Collier's ruling before

proceeding, given that Mr. Oakley, in effect, was not represented at the hearing, except in a limited capacity by Attorneys Ford and Tollison. Accordingly, a status conference and hearing on all pending motions is set for **August 18, 2008 at 2:00 p.m.** A new trial date will be set at the August 18, 2008 hearing. All time until August 18, 2008 shall be fully excludable under the Speedy Trial Act.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge